

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

JEFFREY BUTLER,

Plaintiff,

VS.

ORMET ALUMINUM MILLS  
PRODUCTS CORPORATION,

Defendant.

No. 04-1160-T/An

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ORDER GRANTING MOTION FOR EXTENSION OF TIME

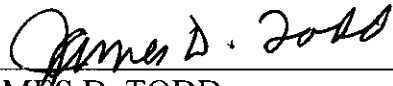
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On September 9, 2005, the Court issued an order dismissing this action, filed *pro se* by plaintiff Jeffrey Butler, with prejudice. Judgment was entered on September 14, 2005. The Court denied plaintiff's motion to alter or amend the judgment on October 14, 2005, and plaintiff subsequently filed a notice of appeal. However, plaintiff did not pay the \$255 appellate filing fee or seek leave to proceed on appeal *in forma pauperis*. The Court issued an order on October 21, 2005 certifying that plaintiff's appeal is not taken in good faith and denying leave to proceed *in forma pauperis*, pursuant to Fed. R. App. P. 24(a). Plaintiff was ordered to either pay the entire \$255 appellate filing fee or file a motion to proceed *in forma pauperis* in the Court of Appeals, within thirty days.

On November 18, 2005, plaintiff filed a motion requesting a fifteen-day extension of time in which to pay the appellate filing fee. Plaintiff's motion is GRANTED, and he is

hereby allowed an additional fifteen days, until December 5, 2005, to pay the \$255 appellate filing fee or to file his *in forma pauperis* application in the Court of Appeals.

IT IS SO ORDERED.

  
\_\_\_\_\_  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE

  
\_\_\_\_\_  
DATE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 25 in case 1:04-CV-01160 was distributed by fax, mail, or direct printing on November 22, 2005 to the parties listed.

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O'MELVENY & MEYERS  
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New York, NY 10036

Jeffrey Butler  
126 Wilkinson  
Jackson, TN 38301

Honorable James Todd  
US DISTRICT COURT